

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Donoho *et al.*

Prior Group Art Unit: 1653

Application No.: To be assigned
Parent Application Serial Number 09/691,344

Prior Application Examiner:
R. Mitra

Filed: Concurrently Herewith

Attorney Docket No.: LEX-0486-USA

Title: Novel Human Proteins and
Polynucleotides Encoding the Same

REQUEST TO MAKE PRIOR ART FROM PREVIOUS APPLICATION OF RECORD

Commissioner for Patents
Alexandria, VA 22313

Sir:

The present paper constitutes Applicants' compliance with their duty of disclosure under 37 C.F.R. § 1.56. Please make all prior art of record in parent application Serial No. 09/691,344, filed October 18, 2000, of record in the present case, including that cited by the Office and Applicants. As a courtesy, copies of the Form PTO-1449s from the prior application are included herewith as **Exhibit A**.

Respectfully submitted,

March 30, 2004

Date

 
Lance K. Ishimoto

Attorney for Applicants

Reg. No. 41,866

LEXICON GENETICS INCORPORATED
(281) 863-3333

Customer # 24231

EXHIBIT A

Please type a plus sign (+) inside this box → □

PTO/SB/08A (10-96)
Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	09/691,344	
			Filing Date	October 18, 2000	
			First Named Inventor	Donoho	
			Group Art Unit	1632	
			Examiner Name	Sheila Thomas	
Sheet	1	of	2	Attorney Docket Number	LEX-0071-USA

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	4,215,051		Schroeder et al	07/29/80	
	AB	4,376,110		David et al	03/08/83	
	AC	4,946,778		Ladner et al	08/07/90	
	AD	5,837,458		Minshull et al	11/17/98	
	AE	5,869,336		Meyer et al	02/09/99	
	AF	5,877,397		Lonberg et al	03/02/99	
	AG	6,075,181		Kucherlapati et al	06/13/00	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
							T ⁶

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AH	Bird et al, 1988, "Single-Chain Antigen-Binding Proteins", Science 242:423-426.	
	AI	Bitter et al, 1987, "Expression and Secretion Vectors for Yeast", Methods in Enzymology 153:516-544.	
	AJ	Colbere-Garapin et al, 1981, "A New Dominant Hybrid Selective Marker for Higher Eukaryotic Cells", J. Mol. Biol. 150:1-14.	
	AK	Gautier et al, 1987, "α-DNA IV:α-anomeric and β-anomeric tetrathymidylates covalently linked to intercalating oxazolopyridocarbazole. Synthesis, physicochemical properties and poly (rA) binding", Nucleic Acids Research 15(16):6625-6641.	
	AL	Greenspan et al, 1993, "Idiotypes: structure and immunogenicity", FASEB Journal 7:437-444.	
	AM	Huse et al, 1989, "Generation of a Large Combinatorial Library of the Immunoglobulin Repertoire in Phage Lambda", Science 246:1275-1281.	
	AN	Huston et al, 1988, "Protein engineering of antibody binding sites: Recovery of specific activity in an anti-digoxin single-chain Fv analogue produced in Escherichia coli", Proc. Natl. Acad. Sci. USA 85:5879-5883.	
	AO	Inoue et al, 1987, "Sequence-dependent hydrolysis of RNA using modified oligonucleotide splints and R Nase H", FEBS Letters 215(2):327-330.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	09/691,344
				Filing Date	October 18, 2000
				First Named Inventor	Donoho
				Group Art Unit	1632
				Examiner Name	Sheila Thomas
Sheet	2	of	2	Attorney Docket Number	LEX-0071-USA

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AP	Inoue et al, 1987, "Synthesis and hybridization studies on two complementary nona(2'-O-methyl)ribonucleotides", Nucleic Acids Research 15(15):6131-6149.	
	AQ	Inouye & Inouye, 1985, "Up-promoter mutations in the lpp gene of Escherichia coli", Nucleic Acids Research 13(9):3101-3110.	
	AR	Janknecht et al, 1991, "Rapid and efficient purification of native histidine-tagged protein expressed by recombinant vaccinia virus", PNAS USA 88:8972-8976.	
	AS	Kohler & Milstein, 1975, "Continuous cultures of fused cells secreting antibody of predefined specificity", Nature 256:495-497.	
	AT	Logan et al, 1984, "Adenovirus tripartite leader sequence enhances translation of mRNAs late after infection", Proc. Natl. Acad. Sci. USA 81:3655-3659.	
	AU	Lowy et al, 1980, "Isolation of Transforming DNA: Cloning the Hamster apt Gene", Cell 22:817-823.	
	AV	Morrison et al, 1984, "Chimeric human antibody molecules: Mouse antigen-binding domains with human constant region domains", Proc. Natl. Acad. Sci. USA 81:6851-6855.	
	AW	Mulligan & Berg, 1981, "Selection for animal cells that express the Escherichia coli gene coding for xanthine-guanine phosphoribosyltransferase", Proc. Natl. Acad. Sci. USA 78(4):2072-2076.	
	AX	Neuberger et al, 1984, "Recombinant antibodies possessing novel effector functions", Nature 312:604-608.	
	AY	Nisonoff, 1991, "Idiotypes: Concepts and Applications", J. of Immunology 147:2429-2438.	
	AZ	O'Hare et al, 1981, "Transformation of mouse fibroblasts to methotrexate resistance by a recombinant plasmid expressing a prokaryotic dihydrofolate reductase", Proc. Natl. Acad. Sci. USA 78(3):1527-1531.	
	BA	Ruther et al, 1983, "Easy identification of cDNA clones", EMBO Journal 2(10):1791-1794.	
	BB	Santerre et al, 1984, "Expression of prokaryotic genes for hygromycin B and G418 resistance as dominant-selection markers in mouse L cells", Gene 30:147-156.	
	BC	Sarin et al, 1988, "Inhibition of acquired immunodeficiency syndrome virus by oligodeoxynucleoside methylphosphonates", Proc. Natl. Acad. Sci. USA 85:7448-7451.	
	BD	Smith et al, 1983, "Molecular Engineering of the Autographa californica Nuclear Polyhedrosis Virus Genome: Deletion Mutations within the Polyhedrin Gene", J. Virol. 46(2):584-593.	
	BE	Stein et al, 1988, "Physicochemical properties of phosphorothioate oligodeoxynucleotides", Nucleic Acids Research 16(8):3209-3221.	
	BF	Szybalska & Szybalski, 1962, "Genetics of Human Cell Lines. IV. DNA-Mediated Heritable Transformation of a Biochemical Trait", Proc. Natl. Acad. Sci. USA 48:2026-2034.	
	BG	Takeda et al, 1985, "Construction of chimaeric processed immunoglobulin genes containing mouse variable and human constant region sequences", Nature 314:452-454.	
	BH	Van Heeke et al, 1989, "Expression of Human Asparagine Synthetase in Escherichia coli", J. Biol. Chemistry 264(10):5503-5509.	
	BI	Ward et al, 1989, "Binding activities of a repertoire of single immunoglobulin variable domains secreted from Escherichia coli", Nature 341:544-546.	
	BJ	Wigler et al, 1980, "Transformation of mammalian cells with an amplifiable dominant-acting gene", Proc. Natl. Acad. Sci. USA 77(6):3567-3570.	
	BK	Wigler et al, 1977, "Transfer of Purified Herpes Virus Thymidine Kinase Gene to Cultured Mouse Cells", Cell 11:223-232.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.
Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1549A/PTO SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Complete if Known			
		Application Number	09/691,344		
		Filing Date	October 18, 2000		
		First Named Inventor	Donoho		
		Group Art Unit	1632		
		Examiner Name	Sheila Thomas		
Sheet	(use as many sheets as necessary)	of	1	Attorney Docket Number	LEX-0071-USA

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	BL		WO 98/45435		Jacobs et al	10/15/98		
	BM		WO 99/37757		Hammond and Verroust	07/29/99		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BN	DATABASE EMBL/GENBANK/DDBJ 'Online! EBI; 16 February 1997 (1997-02-16), "Human DNA sequence from PAC 94G16 on chromosome 6q21", XP002159160. Acc. No. HS94G16	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.